

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

RESIDENTIAL FUNDING COMPANY,
LLC,

Plaintiff,

v.

EMBRACE HOME LOANS, INC.,

Defendant.

Case No. 0:13-cv-03457-PAM-JJG

**DEFENDANT'S MOTION TO
DISMISS**

Defendant Embrace Home Loans hereby moves the Court under Rule 12(b)(6) of the Federal Rules of Civil Procedure for an order dismissing Plaintiff's Complaint with prejudice. Defendant relies upon all of the files, records, and proceedings herein, as well as a memorandum of law and supporting declaration filed herewith.

Date: March 7, 2014

s/Todd A. Noteboom

Todd A. Noteboom (#240047)

W. Anders Folk (#0311388)

Sharon R. Markowitz (# 0392043)

STINSON LEONARD STREET LLP

150 South Fifth Street, Suite 2300

Minneapolis, Minnesota 55402

Telephone: 612-335-1500

Fax: 612-335-1657

E-Mail: todd.noteboom@stinsonleonard.com

E-Mail: anders.folk@stinsonleonard.com

E-Mail: sharon.markowitz@stinsonleonard.com

**ATTORNEYS FOR DEFENDANT
EMBRACE HOME LOANS, INC.**